

**Superior Court of Washington
County of**

In re the Parentage of:

and

Petitioner,

Respondent.

No.

**Findings of Fact and
Conclusions of Law on
Petition to Disestablish
Paternity Based on
Presumption
(FNFCL)**

I. Basis for Findings

The findings are based upon:

- ☐ agreement of the parties.
- ☐ an order of default entered on _____ [Date].
- ☐ a hearing held on _____ [Date]. The following people attended:
 - ☐ Mother ☐ Mother's Attorney
 - ☐ Presumed Father ☐ Presumed Father's Attorney
 - ☐ Guardian ad Litem ☐ Other:

II. Findings of Fact

Based upon the court record, the court ***Finds:***

2.1 Notice and Personal Jurisdiction Over the Parties

All parties necessary to adjudicate the issues were served with a copy of the summons and petition and are subject to the jurisdiction of this court. The facts below establish personal jurisdiction over the parties:

Jurisdiction over Mother [Check all that apply]:

- ☐ The mother was personally served with a summons within this state.
- ☐ The mother submits to jurisdiction of this state by consent.
- ☐ The mother resided with the child in this state.
- ☐ The mother resided in this state and provided prenatal expenses or support for the child.
- ☐ The child resides in this state as a result of the acts or directives of the mother.
- ☐ Other:

Jurisdiction over the presumed father [check all that apply]:

- ☐ The presumed father was personally served with summons within this state.
- ☐ The presumed father submits to jurisdiction of this state by consent.
- ☐ The presumed father resided with the child in this state.
- ☐ The presumed father resided in this state and provided prenatal expenses or support for the child.
- ☐ The child resides in this state as a result of the acts or directives of the presumed father.
- ☐ Other:

2.2 Basis for Presumption of Paternity

The ☐ petitioner ☐ respondent is the presumed father of the child because:

- ☐ He and the mother were married to each other at the time of the child's birth.
- ☐ He and the mother were married to each other and the marriage ended. The child was born within three hundred days after the marriage ended.
- ☐ Before the child was born, he and the mother married each other believing it was lawful. The marriage was unlawful or could have been declared unlawful by a court. The child was born during this marriage or was born within three hundred days after this marriage ended.
- ☐ After the child was born, he and the mother married each other believing it was lawful. He voluntarily asserted he was the child's father and:
 - ☐ the assertion is in a record filed with the state registrar of vital statistics; or
 - ☐ he agreed to be and is named as the child's father on the child's birth certificate; or
 - ☐ he promised in a record to support the child as his own; whether or not the marriage was unlawful or could be declared unlawful by a court.

2.3 Jurisdictional Basis for Disproving the Presumption of Paternity

The court finds:

- ☐ When the petition was filed, the child was under two years of age.

Or

☐ The presumed father and the mother neither cohabited nor engaged in sexual intercourse with each other during the probable time of conception; and the presumed father never openly treated the child as his own.

2.4 The Child Whose Paternity Is Affected in This Action

This action affects the paternity of _____ [Name]
born on _____ [Date].

2.5 Genetic Tests

- ☐ Genetic tests were not performed in this proceeding because the court determined it would be in the best interest of the child to deny genetic testing.
- ☐ When this petition was filed, paternity genetic tests were already performed indicating the presumed father is excluded as the biological father of the child. This test result was not challenged in this proceeding.
- ☐ Genetic tests were performed in this proceeding and the results indicate that presumed father is excluded as the biological father of the child.
- ☐ Genetic tests were performed in this proceeding and the results indicate that the presumed father is the biological father of the child based upon a probability of paternity of _____ per cent.
- ☐ Other:

2.6 Child's Name

- ☐ There is good cause to change the child's surname to _____.
- ☐ There is not good cause to change the child's name.

2.7 Continuing Restraining Order

- ☐ Does not apply.
- ☐ A continuing restraining order against the ☐ father ☐ mother ☐ both parties is necessary because:
- ☐ Other:

2.8 Protection Order

- ☐ Does not apply.
- ☐ A domestic violence protection order protecting _____ [Name]
from _____ [Name] is necessary based upon declarations
in the file or attached.
- ☐ If the duration of this order exceeds one year, the court finds that an order of one
year or less will be insufficient to prevent further acts of domestic violence.

2.9 Other

III. Conclusions of Law

3.1 Jurisdiction

- ☐ The court has jurisdiction to enter an order in this matter.
- ☐ The court does not have jurisdiction to enter an order in this matter.

3.2 Disposition

The court should determine whether the paternity of the presumed father should be disestablished,
make provision for any necessary continuing restraining orders, and make provision for the
change of name of the child.

3.3 Other

Dated: _____

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

Judge/Commissioner

Approved for entry:

Notice of presentation waived:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date